

HB 461 -- MISJOINED PARTIES (Kolkmeyer)

COMMITTEE OF ORIGIN: Special Committee on Litigation Reform

This bill amends Missouri Supreme Court rules to require independent establishment of venue in any civil action in which there is a count alleging a tort. In such cases, two or more plaintiffs may be joined in a single action only if each plaintiff could have independently filed an action in that venue. Any plaintiff that cannot establish proper venue independently shall be deemed misjoined. If the plaintiff was first injured outside Missouri, two or more defendants may be joined in a single action if the plaintiff can establish proper venue against each defendant individually. If proper venue cannot be established against a defendant, that defendant shall be deemed misjoined. If a plaintiff or defendant is deemed misjoined, that plaintiff or defendant shall be severed from the action and the claims transferred to a county in which venue exists. If no proper venue exists, the claims shall be dismissed without prejudice.